

PATENT
450100-04974REMARKS/ARGUMENTSRECEIVED
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Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-11 are pending. Claims 1 and 9-11 are independent. Claims 1, 4-6 and 8-11 are hereby amended. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed and specifically at paragraphs [0030], [0038], [0039], [0047], [0048], [0050] and [0058]-[0062] of published application 2004/0250167, which is the publication of the instant application. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 1, 7, 8 and 9-11 were rejected under 35 USC 112, second paragraph. These claims are amended to clarify the subject matter defined thereby and to conform to the suggestions kindly provided by the Examiner at page 2 of the Final Office Action. Claims 4 and 5 are amended to be consistent with claim 1.

It is respectfully submitted that claims 1-11, as amended, are clear and definite; and the rejection thereof under 35 USC 112 should be withdrawn.

PATENT
450100-04974

III. REJECTIONS IN VIEW OF HUH

U.S. Patent 6,584,559 (Huh) was relied upon to reject all of the claims under 35 USC 102. It is respectfully submitted, claims 1-11, as presented herein, are patentably distinct over Huh.

Applicants' claimed invention is directed to determining errors in downloaded software files. A checksum for each file and a "checksum total" for all of the downloaded files are downloaded, as for example, being included in the downloaded files (see, for example, block 81-1 of Applicants' Fig. 3). Checksum is an accepted technique for error detection. In addition, a first calculation value, indicative of the checksum for individual ones of the files that are downloaded is calculated. Based on this first calculation value, a second calculation value indicative of the sum of the first calculation values, such as a total checksum, of all of the downloaded files is calculated (see, for example, block 101 of Fig. 7 and the flow chart of Fig. 5). Then, the second calculation value (e.g. the total checksum calculated for the downloaded files) is compared with the downloaded checksum to determine whether or not the files were downloaded with error. This is particularly recited in claim 1:

download processing means for downloading ... software files ... , a checksum for each file... a checksum total for all of said files;

first calculating means for calculating a first calculation value indicative of the checksum for each of said downloaded files;

second calculating means for calculating a second calculation value indicative of the sum of said first calculation values when all said files are downloaded; and

determining means for determining whether said information processing apparatus has downloaded said software files with or without error by comparing said second calculation value with said downloaded checksum total .

PATENT
450100-04974

It is respectfully submitted, Huh does not suggest downloading a checksum total, calculating a checksum total of the downloaded files, and comparing the calculated checksum total to the downloaded checksum total. Rather, Huh validates downloaded packets one packet at a time. The checksum of a downloaded packet is calculated and compared to the checksum that accompanies that packet. If there is a difference between the calculated packet checksum and the accompanying packet checksum, that packet is invalid. But there is no teaching or suggestion of calculating the checksum total of all packets or of downloading the checksum total for all packets.. Hence, the "second calculating means" and the "determining means" of claim 1 find no correspondence in Huh.

The Examiner refers to col. 4, lines 35-38 and 55-60 of Huh as teaching the calculation of the total error of files on the basis of the first calculation value. But, claim 1 is clarified to point out that the calculated total error, or checksum total, is the sum of the calculated checksums for individual ones of the downloaded files being (e.g. the calculated checksum of each individual file). The cited portion of Huh merely calculates the checksum for an individual packet and determines whether that calculated checksum is valid -- that is, whether the checksum calculated for that packet equals the checksum included in that packet. This is quite different from calculating a total checksum.

The Examiner also refers to this same portion of Huh as teaching the comparison of the second calculation value (i.e. the calculated total checksum) to the downloaded checksum total. It is respectfully reiterated, Huh is not concerned with calculating or comparing checksum totals.

PATENT
450100-04974

Therefore, in view of this difference between the recitations of claim 1 and the teachings of Huh, it is respectfully requested that the rejection of claim 1 as being anticipated by Huh be withdrawn.

Claims 9-11 include recitations that are similar to those just described in claim 1. Accordingly, since Huh is not suggestive of these recitations, it is submitted that claims 9-11 are patentably distinct over Huh and the rejection of these claims should be withdrawn.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from independent claim 1 discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

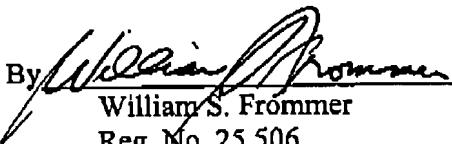
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PATENT
450100-04974

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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